



**Columbia County Planning Commission**  
**July 15 at 6:00 PM**  
**Evans Government Center Auditorium**  
**Evans, Georgia**

Present at the meeting included:

Chairman Jim Cox  
Vice-Chairman Al Dempsey  
Commissioner Russell Wilder  
Commissioner Gene Futch  
Commissioner Michael W. Carraway

Scott Sterling, Division Director  
Will Butler, Planning Manager  
Nayna Mistry, Community Planner  
Danielle Montgomery, Planner II  
Jennifer Neal, Planning Technician  
Cara Harden, Administrative Specialist  
Members of the Public

**A. CALL TO ORDER**

Chairman Cox called the meeting to order at 6:00p.m.

**B. INVOCATION**

Commissioner Wilder gave the invocation.

**C. PLEDGE OF ALLEGIANCE**

Commissioner Futch led the pledge to the American Flag.

**D. ROLL CALL / QUORUM**

Chairman Cox declared a quorum with 5 Commissioners present (100% Quorum).

**E. APPROVAL OF THE MINUTES OF PREVIOUS MEETING**

**(E1) July 1, 2021**

Commissioner Futch made a motion to approve the July 1, 2021 meeting minutes. Commissioner Wilder seconded the motion. The motion carried unanimously.

**F. APPROVAL OF THE AGENDA**

Commissioner Wilder made a motion to amend the agenda by changing (H2e1) to Final Plat for Watson Estate, Tax Map 011 Parcel 006, 7 lots, 252.42 +/- acres, located at 1515 Watson Bailey Road, and currently zoned R-A (Residential Agricultural). Commissioner Futch made a motion to approve the July 15, 2021 amended Agenda. Commissioner Carraway seconded the motion. The motion carried unanimously.

**G. PRESENTATION**

**H. DEBATE AGENDA**

**(H1) Unfinished Business**

**(H2) New Business**

**(H2a) Provisional Home Occupation**

**(H2b) Temporary Use Authorization**

**(H221) Temporary Use Authorization**, Tax Map 078 Parcel 002, 79.76 +/- acres, located at 4301 Evans to Locks Road, and currently zoned M-2 (General Industrial). **Presented as Information Only.**

Staff member Jennifer Neal stated the following:

- This was a request for a Temporary Use Authorization at 4301 Evans to Locks Road on 79.76 +/- acres and currently zoned M-2 (General Industrial).
- The request is for an office trailer on site during construction.
- Approved by staff on July 6th, 2021.

## **(H2c) Conceptual Plan**

### **(H2d) Minor Waiver**

**(H2d1) MW21-07-02**, Tax Map 079 Parcel 095C, 5.49 +/- acres, located at 4131 Columbia Road, and currently zoned S-1 (Special). **Presented as Information Only.**

Staff member Danielle Montgomery stated the following:

- This was a request for a minor waiver at 4131 Columbia Road on 5.49 +/- acres and currently zoned S-1 (Special).
- The request is for a reduction to the front setback from 65 feet to 58.5 feet for reinstallation of a billboard.
- Approved by staff on July 1st, 2021.

## **(H2e) Final Plat**

**(H2e1) Final Plat for Watson Estate**, Tax Map 011 Parcel 006, 7 lots, 252.42 +/- acres, located at 1515 Watson Bailey Road, and currently zoned R-A (Residential Agricultural).

Staff member Danielle Montgomery stated the following:

- This is a request for approval of a final plat for 7 lots created from 252.42 +/- acres located at 1515 Watson Bailey Road and currently zoned R-A (Residential Agricultural).
- The total property currently includes two parcels, only the larger of which is to be subdivided.
- The applicant has submitted a narrative explaining the intent of the subdivision as being to split the property equally among the four siblings.
- The locations of the three existing homes on the property makes division into four equal parcels challenging; therefore, the property is shown as being divided into seven parcels, with three of the siblings receiving two of the created parcels to total the correct acreage.
- This plat requires approval by the Planning Commission because the plat creates more than four lots, and because Watson Bailey Road, which is the sole road frontage for five of the lots, is an unimproved road.
- All of the created lots have frontage on existing County roads, and County utilities are not available in this area, so there will be no development or dedication of new County infrastructure with this plat.
- Staff recommends approval.

Chairman Cox stated this was not a public hearing and called for a motion.

Commissioner Futch made a motion to approve the Final Plat for Watson Estate, Tax Map 011 Parcel 006, 7 lots, 252.42 +/- acres, located at 1515 Watson Bailey Road, and currently zoned R-A (Residential Agricultural). Commissioner Wilder seconded the motion. The motion carried unanimously.

## **(H2f) Plan Revision**

### **(H2g) Public Hearing**

**(H2g1) RZ21-07-03**, Rezone from R-2 (Single Family Residential) to C-2 (General Commercial), Tax Map 072A Parcel 085, 0.51+/- acres, located at 454 North Belair Road, and currently zoned R-2 (Single Family Residential).

Staff member Nayna Mistry stated the following:

- This is a request for a rezoning from R-2 (Single Family Residential District) to C-2 (General Commercial District) for property located at 454 North Belair Road on 0.51 +/- acres.
- The subject property is located on the west side of North Belair Road and about 500 feet from the Hereford Farm Road intersection and is currently zoned R-2 (Single Family Residential District).
- Adjacent properties are zoned P-1 (Professional District) to the north and C-C (Community Commercial District) to the south.
- There are several properties zoned R-2 (Single Family Residential District) to the rear which are accessed from Marie Street.
- Other surrounding zoning is C-1 (Neighborhood Commercial District) and PUD (Planned Unit Development District) which has mostly retail, office and medical uses.
- The applicant has requested a rezoning to C-2 (General Commercial), and has indicated the property would be developed for a fast food restaurant.
- A conceptual plan has been provided to illustrate the proposed layout.
- Although the site is large enough for a building and associated parking, the current plan would not meet all the development code requirements.
- The proposed parking arrangement would require some re-design to work effectively and the other code requirements such as site access, drive-thru areas, landscaping, stormwater etc., would have to be met.
- The applicant and realtor met with staff a few weeks ago and staff raised some of the concerns and the possibility of adding rear or adjacent parcels to make the layout work effectively.
- This location is in Evans Town Center and the use as a restaurant is suitable, however the area of the site is only 0.51 acres.
- For comparison, the Dairy Queen site near Kroger in Grovetown is 1.27 acres.
- The proposal for commercial zoning on this property is a reasonable one, however with the adjacent zoning being P-1 (Professional District) and C-C (Community Commercial District), staff are not in support of C-2 (General Commercial District) on this location.
- However a similar zoning of C-C (Community Commercial District) would be more compatible.
- The applicants have also submitted renderings of the proposed building and signage on the site. This application is not a full review of the design and the requirements of Evans Town Center Overlay shall be met.
- The sign as submitted does not meet the code requirements and the second condition requires a monument style to keep the character uniform in this area.
- This property is located within the Evans Activity Center, a Mixed Use Center on the Future Development Map.
- Staff recommends to disapprove the request for a rezoning from R-2 (Single Family Residential District) to C-2 (General Commercial) and to approve with conditions a rezoning to C-C (Community Commercial):

#### Conditions

##### Planning:

1. The building shall incorporate brick or stone to a minimum height of 3 feet from the base.
2. A free-standing sign is allowed as a monument design only not a covered pylon.

Chairman Cox stated this was a public hearing and asked if the applicant was present.

Azim Momien, Augusta, GA:

- Informed the Planning Commission that he would be considering variances against the residential lots and that he is in agreement with the signage requirements.

Planning Commission questions/comments/concerns:

Chairman Cox questioned the applicant and staff about the site plan process; traffic in and out of the site and whether a deceleration lane would be needed; and what upgrades the site would need to meet the current county code for C-C (Community Commercial) zoning.

Staff member Will Butler answered this property could be developed for C-C (Community Commercial) zoning, but the proposed site plan for this project will not work. They will be required to adjust the site plan and to go through the site plan review process for approval before beginning construction. However, the item being presented to you at this meeting is just to get approval for the zoning change. Some of the site plan improvements that would need to be addressed would be landscaping, drive-thru distance from residential properties, parking, and signage. However, the improvements are not limited to this list. This will all be determined more in depth during the site plan review process.

Azim Momien responded that this site would be smaller than the site in Grovetown with seating for approximately 20 people.

Director Scott Sterling answered that this is a state route so they will more than likely have to acquire some of the land from the adjacent parcel to install a deceleration lane. These are all details that would be worked out during the site plan review process.

Commissioners Futch and Wilder expressed concerns about the number of seating versus the number of parking needed with the limited space on this site.

Chairman Cox stated this was a public hearing and asked if there was anyone to speak for or against the Rezoning. Hearing none, he closed the public hearing and called for a motion.

Commissioner Wilder made a motion to disapprove RZ21-07-03, Rezone from R-2 (Single Family Residential) to C-2 (General Commercial) and to approve with conditions RZ21-07-03, Rezone from R-2 (Single Family Residential) to C-C, Tax Map 072A Parcel 085, 0.51+/- acres, located at 454 North Belair Road, and currently zoned R-2 (Single Family Residential). Chairman Cox seconded the motion for discussion.

Vice-Chairman Dempsey questioned staff about the zoning and asked for clarification on the recommendation for disapproval of C-2 (General Commercial) versus C-C (Community Commercial).

Director Scott Sterling answered C-C (Community Commercial) is more comparable to the surrounding zoning for this property.

Chairman Cox questioned staff about whether or not this item will come back to Planning Commission with more accurate site plans if approved.

Director Scott Sterling answered the item before Planning Commission at this meeting is just for the zoning. If approved, they will not come back to Planning Commission for anything related to the site plan as long as they are meeting current county code for the approved zoning. If they decide to apply for any variances, they would come back before the Planning Commission.

The motion failed 3-2. Chairman Cox, Commissioner Futch, and Vice-Chairman Dempsey opposed.

**(H2g2) RZ21-07-04**, Rezone from R-1 (Single Family Residential) to S-1 (Special), Tax Map 061 Parcel 039A, 13.78+/- acres, located at 229 Lewiston Road, and currently zoned R-1 (Single Family Residential).

Staff member Will Butler stated the following:

- This is a request for a rezoning from R-1 (Single Family Residential) to S-1 (Special) for a proposed plant nursery for property located at 229 Lewiston Road on 13.78 +/- acres and currently zoned R-1 (Single Family Residential).
- The subject property is located on the west side of Lewiston Road on the north side of the intersection of Mill Creek Lane and Lewiston.
- Property to the north is zoned S-1 for New Life church, property to the west, south across Mill Creek Lane, and east across Lewiston Road is zoned R-1 (Single Family Residential).
- The applicant is requesting the rezoning for a proposed plant nursery.
- The provided plans show an approximately 6,000 square foot building located on the northern side

- of the proposed property.
- Per the narrative and provided photos, this building would be a low profile “country style” building with a stone veneer.
  - Building setbacks are shown on the provided zoning sketch and are 125 feet from the centerline of Lewiston Road, 55 feet from the centerline of Mill Creek Lane, and a combination 40 foot setback and buffer to the western property line, and a 20 foot buffer and setback to the northern property line.
  - Parking is proposed adjacent to this building and is proposed to be gravel, as are any areas for vehicular traffic.
  - Additional buildings are shown on the proposed development plan to the south, but per the applicant these are intended to be future development and are not included in this proposal.
  - The plants and trees for sale are shown arranged around the building to the north, west, and south and are intended to provide a natural buffer between the operation of the business and surrounding properties per the narrative.
  - These plants and trees would be on landscape fabric per the photos provided and, according to the applicant, these trees and plants are not grown on site.
  - These plants and trees would be for sale, so there was a question on how this would provide a buffer since they would be sold over time.
  - Per the provided zoning sketch and discussion with the applicant, natural, undisturbed buffers of 40 feet to the western property line and 20 feet to the northern property line are proposed.
  - Staff questions how this proposed use can be classified under current code since a nursery is not a specific listed use.
  - The first part to examine is whether or not anything is sold from the property.
  - In this situation plants and trees are sold from the property as well as irrigation supplies, mulch, and other material so it clearly has a commercial component and could potentially be classified as a commercial use.
  - However, the question of how those items for sale are stored on the property could potentially move this into an industrial use.
  - Further, this request includes both shrubs and trees over a large area as well which staff asserts would be outside of the boundaries of a typical outdoor display and would be more similar to general outdoor storage.
  - Also under consideration is the requested storage of mulch, pea gravel, and other materials outdoors.
  - This type of outdoor storage (defined as general outdoor storage in Columbia County Code) is only permitted on parcels zoned as C-3, M-1 or M-2 which are the (primarily) industrial zoning classifications.
  - Due to these factors, staff classifies the proposed use as an industrial use – a wholesale nursery.
  - In addition, the applicant’s own website provides insight that they consider themselves a landscape supply business with a focus on supplying landscaping contractors.
  - The subject property is located within a Neighborhoods Character Area which is intended to preserve established neighborhoods and create quality new residential development at suburban densities.
  - There is the ability added with this update to Vision 2035 to allow for a Character Area to essentially “grow” over time.
  - The Gateway Mixed Use Activity Center is the closest Character Area that would allow for commercial development, but it is nearly 1,900 feet to the south of the southern property line of the subject property.
  - While this policy was added to allow for logical growth over time, it clearly states that development is intended to work from the center out from a Character Area, not from the periphery.
  - This proposal is clearly not in keeping with the intent of the Neighborhood Character Area just based on the use alone and staff does not support using the policy to extend a character area in this situation based strictly on its distance from the Activity Center.
  - Staff recommends disapproval. However, the applicant has requested to postpone this item to the August 5, 2021 meeting.

Chairman Cox stated this was a public hearing and asked if the applicant was present. Applicant not present.

Chairman Cox stated this was a public hearing and asked if there was anyone to speak for or against the Rezoning. Hearing none, he closed the public hearing and called for a motion.

Commissioner Futch made a motion to postpone to August 5, 2021 RZ21-07-04, Rezone from R-1 (Single Family Residential) to S-1 (Special), Tax Map 061 Parcel 039A, 13.78+/- acres, located at 229 Lewiston Road, and currently zoned R-1 (Single Family Residential). Commissioner Wilder seconded the motion. The motion carried unanimously.

**(H2g3) VA21-07-01**, Variance to Section 90-53 *List of Lot and Structure Requirements*, Tax Map 082 Parcel 354, 0.27+/- acres, located at 5829 Carriage Hills Drive, and currently zoned R-2 (Single Family Residential).

Staff member Danielle Montgomery stated the following:

- This is a request for a variance to Section 90-53 *List of Lot and Structure Requirements* for property located at 5829 Carriage Hills Drive on 0.27 +/- acres and currently zoned R-2 (Single Family Residential).
- The subject property is located on the northwest side of Carriage Hills Drive in the Carriage Hills subdivision and is currently zoned R-2 (Single Family Residential).
- Properties to the west and north are zoned PUD (Planned Unit Development) as part of River Island, and include Stallings Island Middle School to the west of the subject property.
- The applicants have constructed a carport structure attached to the northeast side of their house.
- There are a couple other issues that have come during the review to include the fence at the rear property line that appears to be on the Board of Education's property for the middle school.
- According to the applicant, the ground in the back yard is also less stable than that in the area where the overhang has been built.
- The applicant's parcel sits below the road, and does continue to slope towards the rear property line, however the slope is not particularly steep.
- The carport structure was constructed without the required building permits, and per the submitted site photos is currently approximately 1 ½ feet from the property line.
- The required side setback in the R-2 zoning district is 10 feet, which the structure encroaches 8.5 feet into.
- The applicants are also required to have an easement encroachment agreement approved since the structure is within the reserved 5 foot drainage and utility easement along the side property line. This will require a survey of the structure's location.
- The County has instituted a policy to require the easement encroachment agreement to be processed concurrently with the associated variance request.
- Additionally, Carriage Hills does have an active HOA, which has not approved the structure at this time. If the HOA were to deny the structure and require its removal, the variance would not be necessary.
- Therefore, staff is recommending that this request be postponed to allow time for the easement encroachment request to be submitted, and for the HOA to render their decision on the structure.
- An additional issue was also raised to staff July 7 regarding the height of the fence that has been installed on the property.
- Code Enforcement subsequently investigated the fence, and determined that it does exceed six feet in height and will need to be included in the variance request.
- Staff recommends postponing.

Chairman Cox stated this was a public hearing and asked if the applicant was present. Applicant not present.

Chairman Cox stated this was a public hearing and asked if there was anyone to speak for or against the Variance.

Fred Russell, 5811 Carriage Hills Drive:

- Expressed concerns about the lean-to not fitting the aesthetics of the neighborhood, the height of the fence not meeting HOA requirements, and the decrease in property values this would cause.

Planning Commission questions/comments/concerns:

Chairman Cox questioned Fred Russell whether the HOA has received any complaints about this property and the stability of the backyard.

Fred Russell answered that he has not been on the board long enough to know the answer to his question. Commissioner Futch questioned Fred Russell whether the homeowner was supposed to ask the HOA for permission before building.

Fred Russell answered yes.

Chairman Cox stated this was a public hearing and asked if there was anyone else to speak for or against the Variance.

Salvador Marino, 5831 Carriage Hills Drive:

- Expressed concerns about the aesthetics of the structure and fence.

Dennis Primrose, 5767 Carriage Hills Drive:

- Expressed concerns about the fence along the rear property line and what will be done if this is disapproved.

Chairman Cox responded that the Board of Education is involved and is having someone survey the property to determine whether the fence is on their property. No motion has been made at this time to approve or disapprove the request because there are too many other factors in progress that will help make the final decision.

Chairman Cox stated this was a public hearing and asked if there was anyone else to speak for or against the Variance. Hearing none, he closed the public hearing and called for a motion.

Commissioner Wilder made a motion to postpone to August 5, 2021 VA21-07-01, Variance to Section 90-53 *List of Lot and Structure Requirements*, Tax Map 082 Parcel 354, 0.27+/- acres, located at 5829 Carriage Hills Drive, and currently zoned R-2 (Single Family Residential). Vice-Chairman Dempsey seconded the motion. The motion carried unanimously.

**(H2g4) VA21-07-02**, Variance to Sections 90-98 *List of Lot and Structure Requirements* and 90-147 *Use Provisions*, Tax Map 072A Parcel 104, 0.9+/- acres, located at 516 North Belair Road, and currently zoned C-2 (General Commercial). **Postponing to the August 5, 2021 meeting due to revised public advertisement.**

## **(H2h) Text Amendments**

## **(H2i) Items Added (which need immediate action)**

### **I. LEGAL MATTERS**

### **J. STAFF AND COMMISSIONER COMMENTS**

### **K. PUBLIC COMMENTS AND PARTICIPATION**

There was no further business to discuss; therefore Commissioner Futch made the motion to adjourn the meeting at 6:34p.m. Commissioner Wilder seconded the motion. Motion carried unanimously.

Signature on File  
Jim Cox, Chairman

Signature on File  
Scott Sterling, Planning Services Director